

1.28c  
DAC #

2010 JUL 20 PM 4:17

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

John Moyes et al.

Application No.: 10/541,149

Filed: March 7, 2006

For: RECOVERING METALS FROM SULFIDIC MATERIALS

RECEIVED

JUL 23 2010

OFFICE OF PETITIONS

Attorney Docket No.: 3942.05WOUS

Confirmation No.: 4366

Examiner: Richard M. Rump

Group Art Unit: 1793

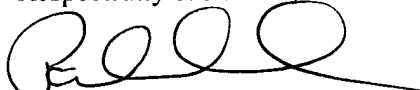
CORRECTION OF ERROR IN SMALL ENTITY STATUS  
UNDER 37 CFR § 1.28(c)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached herewith is an itemization of deficiency payment to correct errors made in claiming small entity status. Small entity status was established in good faith and fees were paid as a small entity in good faith in the above-indicated patent application. It was later discovered that such small entity status was established in error or that through error the Office was not notified of a loss of entitlement of small entity status as required by § 1.27(g)(2). Applicant respectfully requests that the error be excused and in compliance with 37 CFR §§ 1.28(c)(1) and 1.28(c)(2) submits the required itemization of deficiency payment and payment of the deficiency owed.

Respectfully submitted,



Paul C. Onderick  
Registration No. 45354

Customer No. 24113  
Patterson Thuente Christensen Pedersen, P.A.  
4800 IDS Center  
80 South 8th Street  
Minneapolis, Minnesota 55402-2100  
Telephone: 612.349.5766

07/21/2010 DALLEN 00000000 10541149

01 FC:1461

2961.00 0P

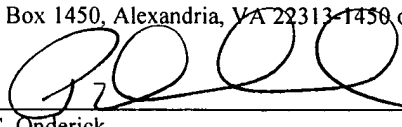
Application No. 10/541,149

*Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 16-0631.*

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA ~~22313-1450~~ on

7-12-2010  
Date of Deposit

  
Paul C. Onderick

Application 10/541,149  
Attorney Docket 3942.05WOUS

Calculation of Deficiency Owed  
for Correction of Small Entity Status

Type of Fee	Date Paid	Amount Paid	Current Fee Due	Deficiency Owed
Utility Issue Fee	30-Jun-10	755	1510	755
Publication Fee	30-Jun-10	300	300	0
Request for Continued Examination	6-May-10	810	810	0
Request for Continued Examination	5-Mar-10	810	810	0
Extension for Response within third month	5-Mar-10	1110	1110	0
Basic National Stage Fee	28-Jun-05	150	330	180
National Stage Search Fee	28-Jun-05	200	430	230
National Stage Examination Fee	28-Jun-05	100	220	120
Claims in excess of 20 [63-20=43]	28-Jun-05	1075	2236	1161
Independent claims in excess of three [5-3=2]	28-Jun-05	200	440	240
Surcharge - late filing fee	28-Jun-05	65	130	65
Multiple Dependent claims	28-Jun-05	180	390	210
			Total Deficiency	2961

Note: regarding the \$1075 fee \$475 was charged on 8 Jul 05 and  
an additional \$600 was charged 3 Feb 06 (copy of Fee Record Sheet attached).

PATENT APPLICATION SERIAL NO. 10/541149

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

17/08/2005 MKAYPAGH 00000061 081641 10541149

11 FC:2631	150.00 DA
12 FC:2642	200.00 DA
13 FC:2633	100.00 DA
14 FC:2617	65.00 DA
15 FC:2615	475.00 DA
16 FC:2614	200.00 DA
17 FC:2616	180.00 DA

PTO-1556  
(5/87)

02/03/2006 JANDERSO 00000003 081641 10541149

01 FC:2615 600.00 DA

**MULTIPLE DEPENDENT CLAIM  
FEE CALCULATION SHEET**  
(FOR USE WITH FORM PTO-875)

SERIAL NO.

101541149

FILING DATE

APPLICANT(S)

**CLAIMS**

	AS FILED		AFTER 1 <sup>st</sup> AMENDMENT		AFTER 2 <sup>nd</sup> AMENDMENT	
	IND.	DEP.	IND.	DEP.	IND.	DEP.
1			1			
2						
3						
4				2		
5				2		
6				2		
7				1		
8				1		
9				1		
10				2		
11				1		
12				1		
13				1		
14				2		
15				1		
16				1		
17				1		
18				1		
19			1			
20						
21				2		
22				2		
23				2		
24				2		
25				2		
26				2		
27				2		
28				2		
29				2		
30				2		
31				2		
32				2		
33				2		
34				2		
35				2		
36			1			
37				10		
38				2		
39				2		
40						
41						
42						
43						
44						
45						
46						
47						
48						
49						
50						
TOTAL IND.		↓	5	↓		↓
TOTAL DEP.	←		58	←		←
TOTAL CLAIMS			63			

	AS FILED		AFTER 1 <sup>st</sup> AMENDMENT		AFTER 2 <sup>nd</sup> AMENDMENT	
	IND.	DEP.	IND.	DEP.	IND.	DEP.
51						
52						
53						
54						
55						
56						
57						
58						
59						
60						
61						
62						
63						
64						
65						
66						
67						
68						
69						
70						
71						
72						
73						
74						
75						
76						
77						
78						
79						
80						
81						
82						
83						
84						
85						
86						
87						
88						
89						
90						
91						
92						
93						
94						
95						
96						
97						
98						
99						
100						
TOTAL IND.		↓		↓		↓
TOTAL DEP.	←		←		←	
TOTAL CLAIMS						